IN THE HIGH COURT OF PUNJAB AND HARYANA AT

CHANDIGARH

C.W.P. No. 14662 of 2007

DATE OF DECISION: 20.9.2007

Punjab Information and Communication Technology Corporation Limited

…Petitioner

Versus

The Punjab National Bank and others

…Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR

HON'BLE MR. JUSTICE AJAY KUMAR MITTAL

Present: Mr. Tejinder Singh Dhindsa, Advocate,
for the petitioner.

M.M. KUMAR, J.

This petition filed under Article 226 of the Constitution prays for quashing order dated 31.7.2007, passed by the Debts Recovery Tribunal, Chandigarh Bench, Chandigarh (P-11) and order dated 24.8.2007, passed by the Debts Recovery Appellate Tribunal, New Delhi (P-13).

We have perused the aforementioned orders dated 31.7.2007 and 24.8.2007 (P-11 & P-13). The only issue decided by both the Courts is as to whether the auction purchaser was required to be party respondent before the Tribunal or not. It has been held that he would be required to assist the Court for fair, just and proper decision of the Tribunal.

Having heard learned counsel at some length and perusing the orders, we are of the considered view that no opportunity is provided to interfere in the aforementioned orders. The auction purchaser may not be a necessary party but would certainly be a proper party. There is no merit in this petition.

Dismissed.

(M.M. KUMAR)
JUDGE

(AJAY KUMAR MITTAL)
JUDGE

September 20, 2007
Pkapoor